

Ordinance No. 2022-07
Village of Salado
County of Bell
May 5, 2022

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, GOVERNING THE APPOINTMENT OF MEMBERS OF ITS ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS, AND PROVIDING FOR THE FOLLOWING: PURPOSE, FINDINGS OF FACT, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code § 51.032, the Board of Aldermen (the “Board”) of the Village of Salado, Texas (the “Village”) is authorized by law to adopt an ordinance, not inconsistent with state law, that it considers proper for the government of the Village;

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the Village has general authority to adopt an ordinance that is for the good government, peace, or order of the Village and is necessary or proper for carrying out a power granted by law to the Village;

WHEREAS, pursuant to Texas Local Government Code Section 51.072, the Village has full power of local self-government, and may exercise the authority incident to local self-government;

WHEREAS, the Board appoints members of the Village’s advisory boards, committees, and commissions pursuant to State law and the Village’s ordinances and resolutions;

WHEREAS, the composition, authority, functions, and responsibilities of these boards, committees, and commissions shall be set forth by the Village by ordinance or resolution; and

WHEREAS, the Village finds that the regulations adopted in this Ordinance are for the good government, peace, and order of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:

SECTION I. ENACTMENT PROVISIONS

- A. Findings of Fact:** All of the above premises are hereby found to be true and correct legislative and factual findings of the Village of Salado and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.
- B. Popular Name:** This Ordinance shall be commonly referred to as “The Advisory Board, Committee, and Commission Appointments Ordinance.”
- C. Scope:** This Ordinance, and the rules and regulations adopted herein, shall apply within the Village limits.

D. Effective Date: This Ordinance shall take effect immediately upon passage and publication.

SECTION II. ADOPTION

Ordinance No. 2022- 01 is hereby adopted as follows:

A. Rules of Interpretation

Words and phrases used in this Chapter shall have the meanings set forth in this section. Terms that are not defined below are given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word “shall” is always mandatory, while the word “may” is merely directory. Headings and captions are for reference purposes only.

“Consanguinity:” Two individuals are related to each other by consanguinity if one is a descendant of the other, or if they share a common ancestor. An adopted child is considered to be a child of the adoptive parent for this purpose.

“First degree of consanguinity:” A parent and child are related in the first degree of consanguinity.

“Second degree of consanguinity:” Includes an individual’s grandparents, grandchildren uncles, aunts, nieces, nephews, and half-siblings.

“Affinity:” Two individuals are related to each other by affinity if they are married to each other, or the spouse of one of the individuals is related by consanguinity to the other individual.

“First degree of affinity:” A husband and wife are related to each other in the first degree by affinity. For other relationships by affinity, the degree of relationship is the same as the degree of the underlying relationship by consanguinity.

“Second degree of affinity:” Includes a spouse’s grandparents, grandchildren, uncles, aunts, nieces, nephews, and half-siblings.

“First Cousins:” Includes the son or daughter of a parent’s brother or sister.

B. Appointment to Advisory Boards and Commissions

1. The Village Board of Aldermen may not appoint more than one person to a particular Village Advisory board, committee, or commission who are related to one another within the first or second degree of affinity or consanguinity, or first cousins by affinity or consanguinity.
2. The Village Board of Aldermen may not appoint anyone who is related to a current member of the Board of Aldermen within the first degree or second degree of affinity or consanguinity, or first cousins by affinity or consanguinity, to any Village Advisory board, committee, or commission.

3. Any member of a Village Advisory board, committee, or commission who, within a ninety (90) day period, misses three (3) consecutive posted public meetings of the Advisory Board or Commission on which they serve shall forfeit his or her position, and will be replaced by the Board of Aldermen.

C. Enforcement

The Village shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law.

SECTION III. RESERVATION OF RIGHTS

All rights and remedies of the Village of Salado, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting the streets and roadways of the Village which existed at the time of the effective date of this Ordinance; and as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, the same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION IV. SAVINGS CLAUSE

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the Village under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION V. SEVERABILITY CLAUSE

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board of Aldermen of the Village of Salado in adopting, and of the Mayor in approving this Ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION VI. REPEALER CLAUSE

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This Ordinance shall not be construed to require or allow any act which is prohibited by any other Ordinance.

SECTION VII. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.


SECTION VIII. NOTICE AND MEETING CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION IX. PUBLICATION

This Ordinance shall become effective immediately upon the date of its publication as required by § 52.011 of the Texas Local Government Code. The Village Secretary is hereby directed to cause the caption of this Ordinance to be published in the manner required by law.

PASSED AND APPROVED on this, the 5th day of May, 2022, by a vote of 5 (ayes) to 0 (nays) and 0 abstentions vote of the Board of Aldermen of the Village of Salado, Texas.


Michael Coggin, Mayor

ATTEST:


Cara McPartland, Village Secretary

Approved to Form:


Josh Katz, Village Attorney

